

MEMORANDUM ENDORSEMENT

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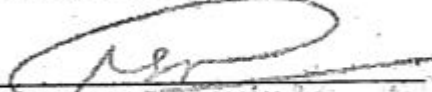
Frey at al. v. New York City et al.

21-cv-5334 (NSR)

The Court is in receipt of the proposed Order to Show Cause and accompanying declarations and memorandum of law, filed by Plaintiffs Brianna Frey, Jason Frey, and William Sappe. (*See* ECF Nos 48–53.) Defendants are directed to serve and file an opposition on or before November 10, 2022. Plaintiffs are directed to serve and file a reply on or before November 25, 2022. The parties are directed to provide two courtesy copies and one electronic copy of their papers to Chambers as they are served. Pursuant to the Court’s Individual Rule 3.B., the opposition papers are limited to 25 pages and reply memoranda are limited to 10 pages.

Dated: October 20, 2022
White Plains, NY

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JASON FREY, BRIANNA FREY,
JACK CHENG, and WILLIAM SAPPE,

Case No. 21 Civ. 05334 (NSR)

Plaintiffs,

-against-

NEW YORK CITY, New York, STEVEN NIGRELLI,
in his Official Capacity, KEECHANT SEWELL,
in her Official Capacity,

Defendants.

**ORDER TO SHOW CAUSE
(PROPOSED)**

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Upon the Declarations Jason Frey, Brianna Frey, and William Sappe, accompanying Memorandum of Law, the Declarations of Amy L. Bellantoni, Esq. dated October 19, 2022, along with the exhibits annexed thereto, and Plaintiffs' Second Amended Complaint, it is:

ORDERED, that the above-named Defendants are required to show cause in the matter pending before this Court at Room _____, United States Courthouse, 300 Quarropas Street, White Plains, New York 10601, on the _____ day of October, 2022 at _____ o'clock a.m./p.m. or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to 42 U.S.C. § 1983 and Rule 65 of the Federal Rules of Civil Procedure, preliminarily and permanently enjoining Defendants, their officers, agents, servants, employees, and attorneys, and all other persons who are in active concert or participation with defendants, their officers, agents, servants, employees, and attorneys, and all other persons who are in active concert or participation with the defendants who receive actual notice thereof from implementing and enforcing Penal Law sections 400.00(6), 400.00(15), 265.01, 265.01-b, 265.01-d, 265.01-e¹, 265.03(3) and NYC Admin. Code 10-315 and the NYPD Rules promulgated thereunder against:

¹ Except polling places and courthouses.

- individuals who hold a valid handgun license issued by a New York State licensing officer and carry a handgun concealed; and
- individuals who hold a valid handgun license issued by a New York State licensing officer and carry a handgun open and holstered on their person, and it is further

ORDERED, that electronic service of a copy of this order and annexed documents upon counsel for Defendants on or before 5:00 p.m. on _____, shall be deemed good and sufficient service thereof; and it is further

ORDERED that, Defendant's opposition papers, if any, are to be served and filed by _____, 2022, and Plaintiffs reply papers, if any, are to be served and filed by _____, 2022.

Dated: _____, 2022
White Plains, New York

ISSUED:

United States District Court Judge